

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

ISMAIL PIERCE

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Defendant(s)

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) Case No. 5:22-MJ- 189 (ML)

**CRIMINAL COMPLAINT**

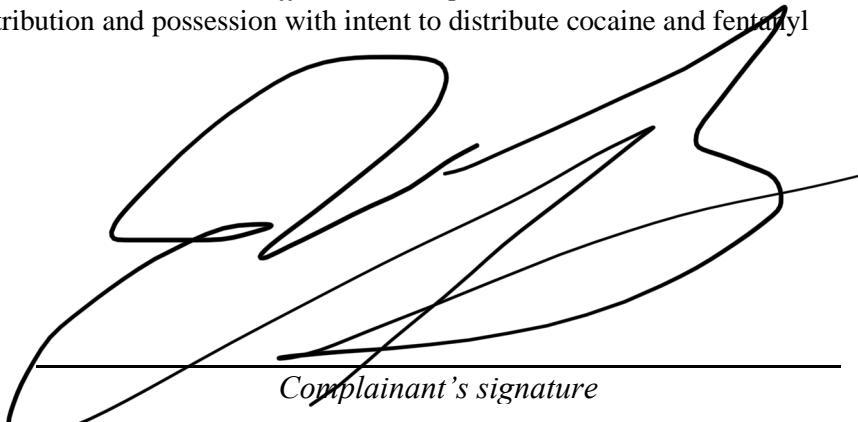
I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of April 21, 2022 in the county of Onondaga in the Northern District of New York the defendant(s) violated:

*Code Section*  
21 U.S.C. § 841(a)(1) and (b)(1)(B);

*Offense Description*  
Distribution and possession with intent to distribute cocaine and fentanyl

This criminal complaint is based on these facts:  
See attached affidavit

Continued on the attached sheet.



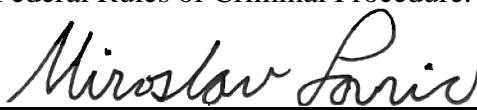
*Complainant's signature*  
TFO Erich Braun, DEA

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*Printed name and title*

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: 04/21/2022



*Judge's signature*

City and State: Syracuse, New York

Hon. Miroslav Lovric, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Erich Braun, having been duly sworn, do hereby state and depose as follows:

**AGENT BACKGROUND**

1. I am the applicant herein and I am currently assigned to Group D-54A of the Drug Enforcement Administration (“DEA”). I am a public servant of the kind specified in the CPL 690.05(1), my titles being a Police Officer. I have been a sworn member of the Syracuse Police Department since May 8th, 2006. I am currently assigned to the United States Department of Justice, Drug Enforcement Administration (DEA) Syracuse Resident Office (SRO) as a Task Force Officer. I have been a sworn member of the DEA Syracuse Resident Office Task Force since November 2020. As such I am an “investigative or law enforcement officer” of the United States within the meaning of Section 2510(7) of title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations and to make arrests for offenses enumerated in Title 21 United States Code, Section 801, et. sec. and Title 18, United States code, Section 2516. I was transferred to the Syracuse Police Departments Special Investigation Division in July 2015.

2. During my fifteen years with the Syracuse Police Department, I have attended the following trainings/schools: Basic Narcotics Investigations, Informant Management, Interview/Interrogation, Firearms Instructor, and Instructor Development School, Undercover Operators Course, and Introduction to Vehicle Concealment Course. I have participated in numerous successful investigations into illicit drug distribution networks and have interrogated numerous defendants, informants and others who were either sellers, distributors, or users of narcotics and other illicit drugs. Also, I have been involved in the monitoring, intercepting and recording of court-ordered wiretaps, and have participated in numerous search warrants/arrest

warrants involving narcotics trafficking. In addition to my above-mentioned experience, I have had the opportunity to speak with and observe other federal, state and city narcotics officers with regard to the manner in which narcotics are possessed, sold, and distributed in the Syracuse, New York area.

3. The facts in this affidavit come from my personal involvement in the investigation, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause for a criminal complaint and does not set forth all of my knowledge about this matter.

4. I make this affidavit in support of a criminal complaint charging PIERCE with possession with intent to distribute cocaine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B) (the Subject Offense).

5. The statements contained in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. As this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe establish probable cause that PIERCE has committed the Subject Offense. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe PIERCE has committed the Subject Offense by possessing with intent to distribute approximately two kilograms of cocaine, a Schedule II controlled substance.

#### **PROBABLE CAUSE**

6. Since January 2022, members of the Syracuse Police Department (SPD) and the Drug Enforcement Administration (DEA), have been investigating PIERCE and his involvement in fentanyl and cocaine trafficking in the Northern District of New York. During the course of

this investigation, law enforcement agents involved in the investigation have conducted extensive surveillance of PIERCE. While conducting surveillance, agents have repeatedly observed PIERCE in possession of a black backpack with red writing.

7. As part of the investigation, on April 18, 2022, United States Magistrate Judge Miroslav Lovric authorized search warrants for various locations and a vehicle associated with PIERCE including: (1) a residence on Elk Street in Syracuse, New York (the ELK STREET Residence); (2) a residence on Cedarvale Road in Syracuse, New York (the CEDARVALE ROAD Residence); (3) a residence on Park Street in Syracuse, New York (the PARK STREET residence); and (4) a 2014 Lincoln MKT.

8. On April 21, 2022, in anticipation of executing the above search warrants, law enforcement established surveillance units at the locations to be searched. Soon thereafter, surveillance units observed PIERCE exit the CEDARVALE ROAD Residence and enter the driver's side door of a white Volkswagen Passat bearing a Florida license plate, a vehicle PIERCE has been observed utilizing during the prior week. Agents then observed PIERCE, driving the white Passat, leave the area of the CEDARVALE ROAD Residence. Agents followed PIERCE to the ELK STREET Residence where law enforcement observed PIERCE exit the white Passat with the black backpack with red writing mentioned above and enter 104 Elk Street. (Pierce is currently on federal supervised release, and has identified the ELK STREET Residence as his primary residence with the United States Probation Office.) Moments later PIERCE exited the ELK STREET Residence without the backpack, returned to the white Passat, and left the area. PIERCE was followed by agents to a location in Syracuse where he was subsequently taken into custody.

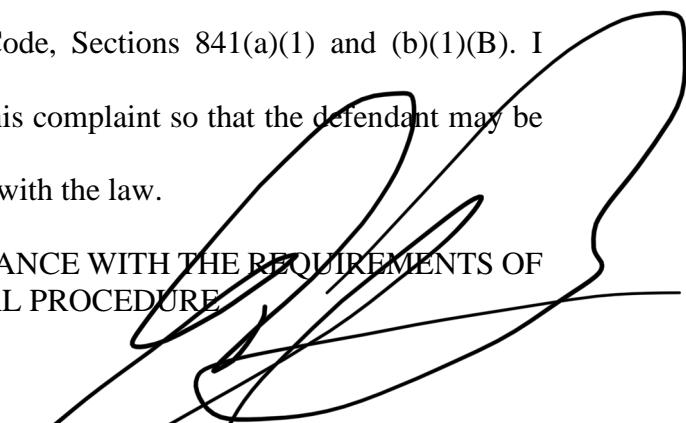
9. Around that time, agents executed the search warrants referenced above. Upon making entry into the ELK STREET Residence, agents located in the basement of the residence the black backpack PIERCE had been observed carrying. Inside the backpack agents recovered approximately 1,607.5 grams of suspected cocaine, approximately 151.4 grams of suspected fentanyl, approximately 13.8 grams of suspected cocaine base, approximately 126.8 grams of suspected marihuana, and two digital scales each with white powder residue. During further search of the ELK STREET Residence, agents also recovered from the drawer of a dresser in an upstairs bedroom, a Glock-style 9mm pistol, with no serial number, also known as a “ghost gun”, with the words “Polymer 80” printed on the frame. The substances recovered were all tested utilizing a TRU NARC testing kit which confirmed the presence of cocaine, fentanyl, cocaine base, and marijuana as mentioned above.

10. During the search of the CEDARVALE ROAD Residence, agents recovered a loaded 38 caliber revolver under the mattress of the master bedroom. During a search of the white Passat, agents discovered approximately \$20,000 in US currency, believed to be narcotics proceeds.

## **CONCLUSION**

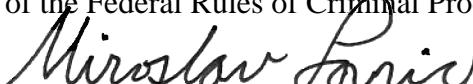
11. In light of the foregoing, I respectfully submit that there is probable cause to believe that PIERCE has violated Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B). I respectfully request the Court authorize the filing of this complaint so that the defendant may be brought to court for further proceedings in accordance with the law.

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF RULE 4.1 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE



Erich Braun  
Task Force Officer, DEA

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on April 21, 2022, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Miroslav Lovric

Hon. Miroslav Lovric  
U.S. Magistrate Judge